IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

WP(C).No. 30149 of 2007(L)

PETITIONER:

PURUSHOTHAMAN, S/O. APPUNNI, AGED 43,
RESIDING AT PUTHUPARAMBIL HOUSE,
KORATTIKKARA, THRISSUR DISTRICT.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

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1. DISTRICT COLLECTOR,
MALAPPURAM.

2. THE TAHSILDAR,
PONNANI, MALAPPURAM DISTRICT.

3. TAVANUR GRAMA PANCHAYATH,
TAVANUR P.O., MALAPPURAM DISTRICT,
REPRESENTED BY ITS SECRETARY.

4. THE SUB INSPECTOR OF POLICE,
CHANGARAMKULAM POLICE STATION, CHANGARAMKULAM,
MALAPPURAM DISTRICT.

R1, R2 and R4 BY GOVT. PELADER MR. BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO. 30149 OF 2007 L

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Dated this the 11th day of October, 2007

J U D G M E N T

It is the allegation of the petitioner that the vehicle belonging to him has been seized by the 2nd respondent on 8/10/07 on the allegation that it was involved in unauthorised transportation of river sand. It is his submission that since then there has not been any progress in the matter and on that basis this writ petition has been filed praying for release of the vehicle.

2. At this stage of the proceedings, I am not inclined to direct that the vehicle shall be released to the petitioner. The matter requires to be enquired into by the 1st respondent in terms of Rule 27 of the Protection of River Banks and Regulation of Removal of Sand Rules, 2001.

3. Therefore, I dispose of this writ petition directing that the 1st respondent shall take further action in terms of Rule 27 of the Protection of River Banks and Regulation of Removal of Sand Rules, 2001, against the petitioner, as expeditiously as possible,

and conclude the enquiry therein. This the 1st respondent shall do within 10 days of receipt of a copy of this judgment.

Petitioner is directed to produce a copy of this judgment before the 1st respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp